IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 3RD DECEMBER 2007 / 12TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 3521 of 2006()

CRA.529/2004 of ADDL. SESSIONS COURT (ADHOC-2), THRISSUR
CC.1090/2001 of JUDL. MAGISTRATE OF FIRST CLASS COURT, KODUNGALLUR

.....

REVN. PETITIONER: PETITIONER/APPELLANT/ACCUSED

DR.P.S.KRISHNA DAS,
S/O.SANKARAN EZHUTHACHAN,
SANKAR HOSPITAL, PATTAMBI ROAD, PALAKKAD.

BY ADV. SRI.T.H.ABDUL AZEEZ
SRI.P.M.ABDUL JALEEL

RESPONDENTS: COMPLAINANT

---

1. RAJENDRA BABU, S/O.BHASKARAN,
KANIYATH HOUSE, MATHILAKAM, PAPPINIVATTOM.

2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

PUBLIC PROSECUTOR SRI. P. RAVEEDRAN

BY ADV. SRI.J.JULIAN XAVIER
SRI.FIROZ K.ROBIN

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 03/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

* * * * * * * * * * * * * * * * * * * *

Crl.R.P. No. 3521 of 2006

* * * * * * * * * * * * * * * * * * * *

Dated: 03-12-2007

ORDER

The accused in C.C. No.1090 of 2001 on th**e file** of the J.F.C.M., Kodungallur for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12648 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited before the trial court pursuant to the orders of court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

ani.